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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 GRAHAM HETTINGER,
15 Defendant.

CASE NO. 2:21-CR-00215-JAM
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER
DATE: February 8, 2022
TIME: 9:30 a.m.
COURT: Hon. John A. Mendez

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17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant Graham
19 Hettinger, by and through his counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for status on February 8, 2022.

21 2. By this stipulation, the defendant now moves to continue the status conference until April
22 26, 2022 at 9:30 a.m., and to exclude time between February 8, 2022, and April 26, 2022, under Local
23 Code T4.

24 3. The parties agree and stipulate, and request that the Court find the following:

25 a) The discovery associated with this case includes more than 600 pages of
26 documents, photographs, investigative reports, and other materials. All of this discovery was
27 either recently produced directly to counsel or else made available for inspection and copying.

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2 b) The parties are negotiating a potential resolution to the matter which requires that
3 they account, among other things, for certain sensitive medical information. Collecting and
4 understanding this information requires additional time and investigative resources.

5 c) Counsel for the defendant desires additional time to consult with his client, review
6 and copy discovery, discuss potential resolutions with his client and the government, and
7 otherwise prepare for trial.

8 d) Counsel for the defendant believes that failure to grant the above-requested
9 continuance would deny him the reasonable time necessary for effective preparation, taking into
10 account the exercise of due diligence.

11 e) The government does not object to the continuance.

12 f) Based on the above-stated findings, the ends of justice served by continuing the
13 case as requested outweigh the interest of the public and the defendant in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
16 et seq., within which trial must commence, the time period of February 8, 2022, to April 26,
17 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
18 T4] because it results from a continuance granted by the Court at the defendant's request on the
19 basis of the Court's finding that the ends of justice served by taking such action outweigh the
20 best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: February 1, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ SAM STEFANKI
SAM STEFANKI
Assistant United States Attorney

Dated: February 1, 2022

/s/ PATRICK HANLY
PATRICK HANLY
Counsel for Defendant
GRAHAM HETTINGER

ORDER

IT IS SO FOUND AND ORDERED this 1st day of February, 2022.

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE